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REC'D TN  
REGULATORY AUTH.

JAN 18 2002 54

OFFICE OF THE  
EXECUTIVE SECRETARY

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VIA HAND DELIVERY

David Waddell, Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

Dear Mr. Waddell:

Enclosed are the original and thirteen copies of BellSouth's Filing in Response to the Hearing Officer's Order entered December 31, 2001 in the Referenced Proceeding. Copies of the enclosed are being provided to counsel of record.

Very truly yours,

Guy M. Hicks

GMH:ch  
Enclosure

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

In Re:     *Docket to Determine the Compliance of BellSouth  
Telecommunications, Inc.'s Operations Support Systems with State  
and Federal Regulations*

Docket No. 01-00362

**BELLSOUTH'S FILING IN RESPONSE TO THE HEARING OFFICER'S  
ORDER ENTERED DECEMBER 31, 2001, IN THE  
REFERENCED PROCEEDING**

BellSouth Telecommunications, Inc. ("BellSouth") herewith submits this filing in response to the Hearing Officer's order entered December 31, 2001, directing BellSouth to respond to Interrogatory 36, served on BellSouth by AT&T Communications of the South Central States, Inc., TCG MidSouth, Inc., and the Southeastern Competitive Carriers Association ("AT&T"). BellSouth has asked for reconsideration of portions of that order by the TRA, but pending that reconsideration, tenders this response.

**Background**

On or about September 17, 2001, AT&T Communications of the South Central States, Inc., TCG MidSouth, Inc., and the Southeastern Competitive Carriers Association ("AT&T") served their first set of interrogatories on BellSouth.

Interrogatory 36 provided:

From January 2001 to present, for each individual state in BellSouth's region and for the BellSouth region in total, please identify the achieved flow through rate and the CLEC error

excluded flow through rate, by interface (i.e., LENS, TAG, EDI, and all interfaces) for the following categories:

- a) LNP;
- b) UNE;
- c) Business Resale;
- d) Residence Resale; and
- e) Total (i.e., UNE, Business Resale, and Residential Resale combined)

BellSouth did not have the information requested, and would have been required to manufacture the evidence to respond to the interrogatory. Nevertheless, after several meetings and conferences, as well as a discussion of the issue during Phase I of the referenced docket, on December 31, 2001, the Hearing Officer ordered BellSouth to produce the requested material by January 18, 2001.

#### Response

BellSouth, as it indicated in its sworn testimony given in this proceeding, still does not have the information requested in Interrogatory 36 and it was not technically feasible within the time frame allowed by the Hearing Officer.

BellSouth's employee responsible for manufacturing the rates requested in Interrogatory 36, Mr. James Saville, provided a good faith estimate of the time required to produce this information, indicating that the information would be available during the first week of March 2002. He had his subordinates commence the process of producing the information orally ordered by the Hearing Officer, before he left Tennessee after his testimony before the TRA was concluded, in

December 2001. However, consistent with his sworn testimony given to the TRA, the results are not and could not be complete by this time.

Specifically, the coding work has been done, and the process is now in the verification stage, as described in Mr. Saville's testimony. As the TRA will recall, Mr. Saville explained that part of the problem in calculating state-by-state flow-through rates for the calendar year 2001, was that over the course of that year the rules and instructions used had changed, and in order to create the responses that the TRA ordered, all of those rules and instructions had to be recreated. BellSouth has attempted to do that, but the preliminary runs of data and the initial phases of the testing and verification process indicate that errors have been made and that further coding is going to have to be done in order to achieve accurate results. Consequently BellSouth cannot provide accurate and complete state-by-state flow-through rates as of this date.

On the positive side, Mr. Saville estimated that he would have verifiable results by the first week in March 2002. While some of the problems Mr. Saville anticipated in responding to Interrogatory 36 have materialized, hence the requirement for additional coding, others have not. As a result, at this time Mr. Saville expects that final results, if nothing else goes wrong, will be available by the third week in February, rather than the first week in March 2002. That conclusion, of course, is tentative, and subject to change depending on how the further testing goes, and the extent of any additional recoding that may be required.

Respectfully submitted this 18<sup>th</sup> day of January, 2002

BELLSOUTH TELECOMMUNICATIONS, INC.

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### CERTIFICATE OF SERVICE

I hereby certify that on January 18, 2002, a copy of the foregoing document was served on counsel for known parties, via the method indicated, addressed as follows:

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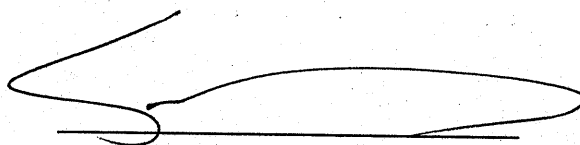
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A handwritten signature in dark ink, appearing to read "Terry Monroe", with a horizontal line underneath.